

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 7, 2002

DIVISION TWO

B150134 Martino, Jr. (Not for Publication)

V.

First Bank of Beverly Hills, et al.

The judgment is affirmed. The respondent shall recover costs.

Ashmann-Gerst, J.

We concur: Nott, Acting P.J.

Doi Todd, J.

B146845 Churchfield et al. (Not for Publication)

V.

Wilson et al.

The order of the trial court disqualifying Fine as class counsel and decertifying the class is affirmed. Each side is to bear its own costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.

Doi Todd, J.

March 7, 2002-Continued

DIVISION TWO (Continued)

B149549 People (Not for Publication)
v.
Britton

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B154967 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Maria M.

The appeal is dismissed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B149389 Cornel Chiralia (Not for Publication)
v.
Orphan Mary Foundation

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION THREE (Continued)

B144487 Amir Noohi (Not for Publication)

v.

Michael Grossman, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, J.

We concur: Klein, P.J.

Aldrich, J.

B147896 People (Not for Publication)

v.

Francisco L.

The order of wardship is affirmed, except that the case is remanded to permit the trial court to comply with Welfare and Institutions Code section 702, as to count two.

Croskey, Acting P.J.

We concur: Kitching, J.

Aldrich, J.

B149395 People (Not for Publication)

v.

Raul G. Serrano

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.

Aldrich, J.

March 7, 2002-Continued

DIVISION THREE (Continued)

B150628 People (Not for Publication)
v.
Mario Rodriguez

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

B151618 People (Not for Publication)
v.
Gregory Jones

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

B151020 People (Not for Publication)
v.
James Andrade

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (Continued)

B151053 People (Not for Publication)
v.
Gregory Thompson

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B151485 People (Not for Publication)
v.
Eric Fairmon

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

[illegible]

The order continuing wardship is reversed and the matter is remanded to the juvenile court with directions to transfer the matter to a judge of that court, who shall then either expressly approve the referee's order removing appellant from his home and, upon such approval, reinstate the original judgment, which reinstated judgment shall stand affirmed, or not approve said referee's order, and conduct further appropriate proceedings not inconsistent with this opinion.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

March 7, 2002-Continued

DIVISION THREE (Continued)

B150728 People (Not for Publication)
v.
Danny Barnes

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B147681 People (Not for Publication)
v.
James R.

The order continuing wardship is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION FOUR

B147997 People (Not for Publication)
v.
John Jackson

The abstract of judgment is modified to reflect that count 3 is for forcible oral copulation instead of forcible sodomy, and that portion of the judgment imposing consecutive prison terms on counts 3 and 4 is reversed. Otherwise the judgment is affirmed. The matter is remanded to the trial court for resentencing.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FOUR (Continued)

B146664 People (Not for Publication)
v.
Fernando Cruz

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B146301 People (Not for Publication)
v.
Jeffrey Caliz

The judgment is reversed with respect to the one-year enhancement under Penal Code section 667.5, subdivision (b), and the matter is remanded for further proceedings in accordance with this opinion. The judgment is affirmed in all other respects.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

B141612 De La Cruz, et al. (Not for Publication)
v.
City of Los Angeles

The judgment of nonsuit as to appellant's second and third theories of recovery (paragraph 2 of the judgment) is reversed. That portion of the judgment purporting to award damages and precluding retrial on the issue of damages (paragraph 4 of the judgment) is reversed. In all other respects, the judgment is affirmed. Appellant Juana Mercado shall have her costs on appeal.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

March 7, 2002-Continued

DIVISION FOUR (Continued)

B145864 Casanova (Not for Publication)
v.
Habashy and Zikry

The judgment is reversed. Appellant(s) to recover costs.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Curry, J.

DIVISION FIVE

B152011 People (Not for Publication)
v.
Tony Davis B.

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION SIX

B147409 People (Not for Publication)
v.
Campos

The superior court is ordered to prepare and forward to the Department of Corrections an amended abstract of judgment which strikes the 15 years to life sentence imposed under section 186.22, subdivision (b), and identifies section 12022.53, subdivision (d) as the basis for the 25 years to life enhancement. In all other respects, the judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

March 7, 2002-Continued

DIVISION SIX (Continued)

B153575 People (Not for Publication)
v.
Angel P.

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

DIVISION SIX

B147224 People (Not for Publication)
v.
Jeter

The matter is remanded to the trial court with instructions to impose sentence on or strike the weapon enhancement. In all other respects the judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B149601 People (Not for Publication)
v.
Arellano

The judgment is modified to include a \$200 parole revocation fine but otherwise affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

DIVISION SEVEN

Court convened at 9:00 A.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Perluss, J., Munoz, J. (Assigned) and Eva McClintock, Deputy Clerk.

Each of the following:

B143780 People v. Cote
B144203 People v. Peoples
B144659 People v. Torres
B146794 People v. Garcia
B146989 People v. Lee
B147742 People v. Barrios
B147834 People v. Alston
B148738 People v. Diaz
B150180 People v. Johnson
B150254 People v. Zoie Y.
B150669 People v. Littlejohn
B151407 People v. Ware
B152425 People v. Darby
B151885 DCFS v. Heriberto C.
B152051 DCFS v. Gabrielle R.
B152336 DCFS v. Gerardo M.
B154898 Mary B., v. SCLA.
B155428 Rolando M., v. SCLA

Argument waived, cause submitted.

B142864 People
 v.
 Freddie Sanders

Merits:

Matter ordered off calendar because appellant's counsel is no longer entitled to practice law in California. Case will be sent to the California Appellate Project for a recommendation for the appointment of new counsel for appellant. Deputy attorney general was instructed to provide the Court with a written notice as to any information on the possibility of an appeal for co-defendant Livingston.

DIVISION SEVEN (Continued)

B146380 Linda Campagna
 v.
 Michael Campagna et al.
 In re Charles Campagna Trust

Merits:
Argued by Larry Nakahara for appellant and by Sidney Croft for respondents. Cause submitted.

B148321 People
 v.
 Willie Hearod

Merits:
Argued by A. William Bartz for appellant and by Jim Hart, deputy attorney general, for respondent. Cause submitted.

B149785 People
 v.
 Fernando Noriega

Merits:
Argued by Vanessa Place for appellant and by Myung Park, deputy attorney general, for respondent. Cause submitted.

B152012 People
 v.
 Robert H.

Merits:
Argued by Edward Haggerty for appellant and by Michelle Pirozzi, deputy attorney general, for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B144265 People
 v.
 Omar Reynoso
 Victor Garcia
 Javier Yanez

Merits:

Argued by David Krueger for appellant Reynoso, Gerald Serlin for appellant Garcia and by Stephanie Brennan for respondent. Counsel for appellant Yanez previously waived argument. Cause submitted.

B143771 People
 v.
 William H. Seel

Merits:

Argued by Dennis Fischer for appellant and by Robert Schneider for respondent. Cause submitted.

B147249 People
 v.
 Claudell Green

Merits:

Argued by Carlo Andreani for appellant and by Thomas Hsieh for respondent. Cause submitted.

B149851 Kevin A. Copeland
 v.
 Baskin-Robbins

Merits:

Argued by David Cowan for appellant and by Karl Thurmond for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B153201 In re Timothy Walton
 on
 Habeas Corpus

OSC:

Argued by Leo Branton for petitioner and by J. Robert Jibson, deputy attorney general, for real party in interest. Cause submitted.

B155115 United Community Resource
 v.
 Superior Court, Los Angeles County
 (The People, r.p.i.)

Merits:

Argued by Michael Lightfoot for petitioner and by Juliet Schmidt, deputy district attorney, for real party in interest. Cause submitted.

Court recessed at 11:55 A.M.

Court reconvened at 2:00 P.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Perluss, J., Munoz, J. (Assigned) and Eva McClintock, Deputy Clerk.

B147392 Cyrus Sanai
 v.
 The U.D. Registry
 Harvey Saltz

Merits:

Argued by Michael Saltz and Harvey Saltz for appellants and by Cyrus Sanai for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B143268 Donald A. Walla et al.
 v.
 GH-A Corporation

Merits:
Argued by Derek Tabone for appellants and by Arthur Oshiro for
respondent. Cause submitted.

B143577 Issachap Shabtay et al.
 v.
 20th Century Insurance

Merits:
Argued by Stanton Mathews for appellants and by Holly Paul for
respondent. Cause submitted.

B144966 VSS Sales, Inc.
 v.
 Uni-Seal Valve Co.

Merits:
Argued by Robert Parsons for appellant and by Kenneth Kind for
respondent. Cause submitted.

B145867 Tradewinds Escrow
 v.
 Truck Insurance Exchange

Merits:
Argued by Alex Powell for appellant and by Edward Xanders for
respondent. Cause submitted.

DIVISION SEVEN (Continued)

B146768 County of Los Angeles
v.
Michael Feigenbaum

Merits:
Argued by Tammy Nakada for appellant and by Glen Schwartz for
respondent. Cause submitted.

Court adjourned at 3:55 P.M.

B147007 People
v.
Torres

Filed orders denying appellant's and respondent's petitions for rehearing.
Woods, J. would grant respondent's petition.

B116427 People (Not for Publication)
v.
Beard and Paredes

The judgment is affirmed.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.

B138066 Hashimoto
v.
Republic Insurance Co.

Filed order denying petition for rehearing.